

**Miscellaneous Letter regarding the recently filed IDS Transmittal Letter of 6-11-2009 for U.S. Application No. 10/037,718 (Inventors: MCGINNIS, ET AL)**

Art unit: 1631

Examiner: Whaley, Pablo

Honorable Commissioner of Patents

Sir:

**On page 13 of the recently filed IDS Transmittal Letter of 6-11-2009 the applicants requested:** *"It was also previously respectfully requested that the documents in the earlier IDSs for the present application that were considered by the previous Examiner Horlick, be formally considered and initialed by the current Examiner and a copy of the previous IDS forms of March 2004 and November 2005 be returned to the undersigned."*

If the above request is inappropriate in light of current USPTO policy, the applicants respectfully request that the current Examiner exercise his own discretion as to whether or not to fulfill the request. It should be noted that the previous Examiner, Examiner Horlick, did consider and initial each reference listed in the previously filed IDSs of March 2004 and November 2005.

Respectfully submitted,

/Robert O. McGinnis/

Robert O. McGinnis

Reg. No. 44, 232

June 15, 2009

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